A perfect true Copy

OF THE

ARTICLES

Agreed on by the Commissioners on both sides, for the surrender of *Oxford* to his Excellency

Sir Thomas Fairfax.

Signed, Sealed, Ratified, and Confirmed by his Excellency, and the Lords and Commissioners for *Oxford.*

Commanded to be forthwith printed and published by Order of Parliament for generall satisfaction of the Kingdome, and for the confutation of those imperfect and impertinent Copies, before published to abuse the Kingdome.

B. N. C.
F. MADAN
OXFORD

LONDON,
Printed for *F. Coles* in the Old-baily. 1646.

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OXFORD

Agreed at Marſton, Satturday June 20. 1646.

Articles of agreement concluded and agreed by his Excellency Sir Thomas Fairfax *Knight, Generall of the Forces raiſed by the Parliament, on the one party: And the Right Honourable Sir* Richard Lane *Knight, Lord Keeper of the great Seale of England,* Francis *Lord Cottington, Lord high Treaſurer of England,* William *Marqueſſe of* Hertford, Edward *Earle of Dorſet, Lord Chamberlaine of His Majeſties Honourable Houſhold,* Thomas *Earle of Southampton,* Francis *Earle of Chicheſter,* Francis *Lord* Seymour, *Sir* Edward Nicholas, *one of His Majeſties principall Secretaries of State, all of them of His Majeſties moſt Honourable Privy Councell, and Sir* Thomas Glemham *Knight and Gevernour of Oxford, of the other party: for and concerning the rendring the Garriſon of Oxford, as followeth:*

1.

THat the Garriſon of Oxford, with the Caſtle Forts, Mounts, and places of defence whatſoever, with all the Ordnance, Armes, Ammunition, and Proviſions of warre, with all Magazines and Stores thereunto belonging; excepting what is allowed in the enſuing Articles, ſhall be delivered unto his Excellency Sir *Thomas Fairfax*, or whom he ſhall appoint, without wilfull ſpoyle or imbezlement, upon Wedneſday the 24 day of this inſtant

inſtant *June* 1646. at ten of the clocke in the morning.

2. That his Highneſſe the Duke of Yorke ſhall have an Honourable Convoy to London, where other of his Majeſties children are, attended by his Officers and Servants, and fitting Accomodation for removall of his houſhold and goods thither, and ſhall have an honourable proviſion befitting his Dignity appointed for him by the Parliament, and to remaine there untill His Majeſties pleaſure be knowne touching his ſetling there or elſewhere, and then to be diſpoſed accordingly, to any place within 80 miles of London, and ſhall have Officers and Servants to continue about him as the Parliament ſhall approve.

3. That their Highneſſes Prince *Rupert*, and Prince *Maurice* ſhall have liberty and Paſſes for themſelves with their Servants, Horſes, Armes, and Goods (the number of their Horſes for them and their traine not exceeding 70) to repaire to any place within 50 miles of London (ſo it be not within 20 miles of London, without leave from the Parliament, nor in any Garriſon) and there to abide for the ſpace of ſix moneths after the rendring, free from any moleſtation by impoſition of Oathes, or otherwiſe, and ſhall have Paſſes to goe beyond the Seas at any time within the ſaid ſix moneths, with their ſaid Servants, Horſes, Armes, and Goods, they engaging themſelves upon their Honours, not to uſe the liberty hereby granted in the meane time to any Hoſtility againſt the Parliament of England ſitting at Weſtminſter, or any way wilfully to the prejudice of their affaires. And they are to have the benefit of ſuch the enſuing Articles as may concerne them.

4. That

4 That the Seales cal'd, The Great Seale, Privy Seale, and the Signet, and the Seales of the Kings Bench, Exchequer, Court of Wards, Dutchy, Seales of the Admiralty and prerogative as also the Sword of State, shall at such time and in the presence of two such persons as the General Sir *Thomas Fairfax* shall appoint be lockt up in a Cheſt, and left in the publique Library; And if any of the aforenamed particulers shall not be then accordingly produced the default thereof shall not be charged upon any other person, then such as have the Custody thereof, and shall wilfully detaine or imbeazle the same.

5 That Sir *Tho. Glemham* Knight, &c. Governour of *Oxford* with his Servants and all that to him belongs, and all Officers and Souldiers of Horse and Foot, and of the Traine of Artillery, (as well Reformed Officers and Souldiers as other) with their Servants, and all that pertaines unto them, shall march out of the City of *Oxon* with their horses and compleat Armes, that properly belong unto them proportionable to their present or past commands; flying Colours, Trumpets sounding, Drums beating, Matches lighted at both ends, Bullet in their mouthes, and every Souldier to have 12. charges of Powder, Match and Bullet proportionable, and with bagge and baggage to any place within 15. miles of *Oxford* which the Governour shall choose, where such of the Common Souldiers as desire to goe to their own homes or friends, shall lay downe their Armes, which shall be delivered up to such as the Generall Sir *Thomas Fairfax* shall appoint to receive them; And all Officers and Souldiers, as well reformed as others, that shall desire to goe to their own homes or friends, shall have

the Generals passe and protection for their peaceable repaire to and abode at the severall places, they shall so desire to goe unto, and shall have free quarter allowed them in all their march from *Oxford* to these severall places; The Officers as well reformed as other to passe with Equipage of Horses, and Compleat Armes answerable to their present, or past commands, and common Troopers with their Horses and Swords onely, and all to passe with bagge, and baggage as aforesaid; and that all other Officers and Souldiers (in case there be any such) that shall desire to take entertainement from any Forraigne Kingdome or State, shall have free quarter allowed them for 28. dayes from their march out of *Oxford*: And shall have passes for their Officers not exceeding ten, with their Horses and two servants a peece to goe to *London* to Treat with any Forraigne Ambassador or Agent for entertainment, and all of them shall have liberty and passes to march; The Officer with their compleat Armes and Horses proportionable to their present or past Commands, and the Common Souldiers with their Armes, and all with Bagge and Baggage, to the quarters neer to *Harwich* and *Portesmouth*, or to any Port between them, to be transported which Armes (except Officers Compleat Armes, and Horses and Swords for the Common Souldiers which they may transport) they shall there lay downe, and deliver to such as the Generall shall appoint, or unto the Governour of the next Garrison belonging to the Parliament who shall take care for their safety, during their abode there, and untill shipping can be provided, and weather seasonable, they paying for their Quarters after the 28. dayes be expired, and shall assist them for procuring vessels and shipping for their transportation

portation at the usuall Rates accustomed for Fraught; the Officers and Souldiers and others, before transportation engaging themselves by promise not to returne into this Kingdome in Hostility against the Parliament in bodies as they goe, or in conjunction with other forces, or in command of any forces invading this Kingdome. And no Oath nor any other engagement of this or the like nature, to be during their said stay, or at their transportation imposed upon them, saving an engagement by promise not to doe any Act of Hostility, or of willfull prejudice against the Parliament during their said stay in England. And it is Declared that those of the Three Auxiliary Regiments consisting of Gentlemen and their Servants, Schollers, Citizens, and Inhabitants who are not properly of the Garison in pay; And such reformed Officers, and Souldiers who shall not bee willing to march forth, shall not bee forced to march out upon this Article but shall have the benefit of the following Articles to remove or remaine in Oxford, and in all things else which may concerne them: And those also who shall march forth shall have the benefit of the ensuing Articles in all things, except for remaining in Oxford.

6. That the Governour shall be allowed and assisted in procuring of a sufficient number of Carts, Teames and Boates, and other necessaries for the carrying away of all goods allowed in these Articles belonging to any Officers or persons of quality now residing in this Garison, they paying the accustomed Rates, and that such persons as cannot presently through want of Carriages, or otherwise convoy them away, shall be assisted with Carriages

riages at any time within three moneths for the disposing thereof.

7. That no Officer or Souldier nor any person whatsoever comprized in this capitulation shall be reproached, or have any disgracefull speeches, or affronts offered to them, or be stopped, plundred or injured in their March, Randezvouz, or Quarters, Journies, or places of abode, And if any such thing shall fall out, satisfaction shall be given at the judgement of any two or more of the Commissioners, they being equall in number of each party, nor shall the persons aforesaid nor any of them be inticed, or compelled to take up Armes against the King, nor be imprisoned, restrained, sued, or molested for any matter, or cause whatsoever before the rendring of the Garison, during six moneths after the rendring thereof: And if any Officer, Souldier, or person be sick or wounded, That they cannot presently enjoy the benefit of these Articles; That such persons shall have liberty to stay untill they be recovered, and fit accommodation, and subsistance shall be provided for them during their stay, and then to enjoy the benefit of these Articles.

8. That all Horses, Armes, Money, and other Goods whatsoever taken as lawfull prize of War before or during the siege, and now remaining in the City, be continued in the possession of the present possessors.

9. That these Articles shall extend to the use and benefit of all strangers of any foragine Kingdome or State residing within this Garison, together with their Wives, Children, Servants, Horses, Armes, Goods, Money, or Debts.

10. That

10. That all persons included in these Articles, without exception of any, other then the Souldiers that are to march out upon the fifth Article, shall have liberty, (during the space of three Moneths after the rendring of the Garrison) either to remaine in *Oxford*, or to remove themselves with their Families, Goods, Horses, and all things that properly belong unto them, or to their disposall; And all Noblemen, Gentlemen, persons of quality, with their Arms and other Equipage to their houses or friends, without any prejudice to their friends for receiving them.

11. That all Lords, Gentlemen, Clergymen, Officers, Souldiers, and all other persons comprized in this Capitulation, who have Estates reall or personall, under or liable to sequestrations, according to Ordinance of Parliament, and shall desire to compound for them, (except persons by name excepted by Ordinance of Parliament from Pardon) shall at any time within six Months after the surrender of the Garrison of *Oxford*, be admitted to compound for their said Estates, which said Composition shall not exceed two yeers Revenue for Estates of inheritance: And for Estates for lives, years, and other reall and personall Estates, shall not exceed the proportion aforesaid for inheritances, according to the value of them: And that all persons aforesaid, whose dwelling Houses are sequestred, (except before excepted) may after the rendring of the Garrison, repaire to them, and there abide, convenient time being allowed to such as are placed there under the Sequestrations, (if any be) for their removall: And it is agreed, That all the Profits and Revenues arising out of their Estates, (after the day of entring their names as Compounds)

ſhall remaine in the hands of the Tenants or Occupiers, to be anſwered to the Compounders when they have perfected their Agreements for their Compoſitions, and that they ſhall have liberty, and the Generals Paſſe and Protection for their peaceable repair to their abode at their ſeverall houſes or friends, and to go to *London* to attend their Compoſitions, or elſewhere upon their neceſſary occaſions, with freedome of their perſons, from Oathes, Ingagements, or moleſtations, during the ſaid ſpace of ſix Months, and after ſo long as they proſecute their Compoſitions without wilfull default or neglect on their party, except an engagement by promiſe not to beare Armes againſt the Parliament, nor wilfully do any act prejudiciall to their affaires, ſo long as they remaine in their Quarters: And it is further agreed, That from and after their compoſitions made, they ſhall be forthwith reſtored to, and enjoy their Eſtates, and all other immunities, as other Subjects, together with the Rents and Profits from the time of entring their names as aforeſaid, diſcharged of their Sequeſtrations, and from fifth and twentieth parts, and other payments and impoſitions, except ſuch as ſhall be generall and common to them with others.

12. That no Lords, Gentlemen, Clergymen, Scollers, Officers, Souldiers, Citizens, nor any other perſons included in this Capitulation, (except the perſons mentioned before to be excepted from pardon) ſhall be moleſted or queſtioned for anything ſaid or done, in or concerning this Warre, or relating to the unhappy difference between his Majeſtie and the Parliament, they ſubmitting to Compoſitions in the precedent Article; And that the perſons aforementioned to be excepted from

from pardon, shall have the Benefit of this Article during the space of six Moneths from the rendring of the Garrison, and after, if they be admitted to and agree for their Compositions.

13. That the persons mentioned before to be excepted from pardon, shall have liberty and the Generals Passe and Protection for themselves, families, horses, goods, and all things that properly belong unto them now in *Oxford*, to go unto, and abide at their own houses, or their friends, for the space of six Months after the rendring of the Garrison, and within that time to repaire to *London* to endeavour Compositions for their Estates, and indempnity of their persons, and to make their peace; and if they cannot obtaine it, shall have Passes to go beyond the Seas at any time, within the said six Months; and that no other ingagement shall be put upon them, save by promise not to beare Armes against the Parliament, nor wilfully do any act prejudiciall to their affaires, so long as they remaine in their Quarters.

14. That the Chancellor, Masters, and Schollers, of the University of *Oxon*, and the Governours and Students of *Christs-Church*, of King *Hen.* 8. his foundation, and all other Heads and Governours, Masters, Fellowes and Schollers of the Colledges, Halls, and Bodies Corporate, and Societies of the same University, and the publike Professors and Readers, and the Orator thereof, and all other persons belonging to the said University, or to any Colledges or Hals therein, shall and may, according to their Statutes, Charters and Customes, enjoy their ancient forme of Government, subordinate to the immediate Authority and Power of Parliament; And that all the Rights, Priviledges, Franchises, Lands, Tene-

ments, Houſes, Poſſeſſions, Rents, Revenues, Hereditaments, Libraries, Debts, Goods and Chattels, belonging to the ſaid Univerſity, or to *Chriſts Church*, or to any Colledges or Hals in the ſaid Univerſity, (except ſuch Rents and Revenues as have been already taken and received by Ordinance of Parliament) ſhall be enjoyed by them reſpectively, as aforeſaid, free from Sequeſtrations, Fines, Taxes, and all other moleſtations whatſoever, for or under colour of any thing whatſoever, relating to this preſent warre, or to the unhappy differences between his Majeſtie and the Parliament; and that all Churches, Chappels, Colledges, Hals, Libraries, Schooles, and publike Buildings within or belonging to the City or Univerſity, or to *Chriſt-Church*, or the ſeverall Colledges or Hals thereof, ſhall be preſerved from defacing and ſpoile, and if any removall ſhall be made by the Parliament of any other Members of the Univerſity, Colledges, or Hals, that thoſe ſo removed ſhall enjoy the profits during the ſpace of ſix Months after the rendring of *Oxford*, and ſhall have convenient time allowed them for removall of themſelves and their goods from their lodgings; provided that this ſhall not extend to retard any Reformation there intended by the Parliament, nor give them liberty to intercede any in the Government.

15. That the Mayor, Bayliffe, and Commonalty and all Corporations within the City ſhall enjoy their ancient Government, and their Charters, Cuſtomes, Franchiſes, Liberties, Lands, Goods, and Debts, and all things elſe whatſoever which belong to them as Corporations, ſubordinate to the immediate authority and power of Parliament, and ſhall not be moleſted by colour of any thing (before the rendring of

of this Garriſon) done or ordered by them in the capacity of Corporations, relating to the differences between his Majeſty and the Parliament.

16. That the Citizens and Inhabitants of the City ſhall not be charged with free quarter, nor billet of Souldiers other then for lodging (except in urgent time of neceſſity) and that to be ordered and diſpoſed by the advice of the Mayor, or his Deputy, and that in all publike Taxes they ſhall be taxed proportionably with the County; and that no Schollar, Citizen, or other Inhabitant in the Univerſity and City of Oxon ſhall be troubled, or queſtioned for taking up Armes in the Garriſon, by expreſſe command during the time it was a Garriſon for the defence thereof; and that the Schollars, Citizens, and Inhabitants ſhall have the benefit of this capitulation in all things that may concerne them.

17 That no Officer, Souldier, or other perſon, who by the Articles are to march out of the City or Suburbs, or to march in, ſhall plunder, ſpoile, or injure any Schollar, Citizen, or Inhabitant, or other perſon in Oxford in their perſons, goods, or eſtates, or carry away any thing that is properly belonging to any of them.

18 That all Ladies, Gentlewomen, and other women now in Oxon, whoſe Husbands or friends are abſent from thence may have Paſſes, and Protections for themſelves, ſervants, and goods, to goe to and remaine at the houſes of their Husbands, or at their friends as they ſhall deſire; and to goe or ſend to London or elſewhere, to obtaine the allowances out of their Husbands, or Parents eſtates allotted them by Ordinance of Parliament.

19 That ſuch of his Majeſties Houſhold Servants,

who ſhall deſire to goe to his Majeſty, may have free liberty, and Paſſes to goe accordingly at any time within one moneth after the rendring of the Garriſon; and that his Majeſties Houſhold-ſtuffe, and other his peculiar goods which are now in Oxford may be carried to his Majeſties Houſe at Hampton Court, and his ſervants under whoſe charge and cuſtody any of them are, ſhall be allowed and aſſiſted in the procuring of Carts, Boates and Carriages for the removall of them thither, and there to remaine till his Majeſty ſhall otherwiſe diſpoſe of them, and then to be ſent or diſpoſed accordingly; and that ſuch of his Majeſties Servants who are not able for the preſent to goe to him ſhall have liberty, Paſſes, and Protections to goe to, and remaine at his Majeſties ſaid Houſe at Hampton Court, and have liberty to attend the Committee for his Majeſties Revenues, to procure a competent allowance out of his Majeſties Revenues for their ſubſiſtence, untill his Majeſty ſhall otherwiſe provide for, or diſpoſe of them.

20 That all Clergy-men now in Oxford, who ſhall not upon compoſitions or otherwiſe be reſtored to their Church Livings, ſhall have liberty to goe to London, to obtaine ſome fitting allowance for the livelihood of themſelves and their families.

21 That it is intended, declared, and agreed, that all perſons compriſed within theſe Articles ſhall peaceably and quietly enjoy all their goods, debts, and moveables allowed by theſe Articles, during the ſpace of ſix moneths after rendring the Garriſon, and that they ſhall be free from all Oathes, ingagements and moleſtations except an ingagement by promiſe not to beare Armes againſt the Parliament, nor wilfully doe any act preju-

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diciall to their affaires ſo long as they remaine in their Quarters; and that they ſhall have liberty within the ſpace of ſix moneths (in caſe they ſhall be reſolved to goe beyond Seas) to diſpoſe of their ſaid goods, debts, and moveables allowed by theſe Articles, and depart the Kingdome if they ſhall think fit, and to have Paſſe for their tranſportation, or otherwiſe to ſtay in the Kingdome.

22 That if any of theſe Articles ſhall in any point be broken, or violated by any perſon or perſons in Oxford, or compriſed within this capitulation, the fault and puniſhment ſhall be upon him or them only who made the breach or violation, and ſhall not be imputed or charged upon any other not aſſenting thereunto, or not an actor in it.

23 That the Duke of *Richmond*, the Earle of *Lindſey*, and their ſervants that come forth with them ſhall enjoy the benefit of theſe Articles in whatſoever may concerne them.

24 That the Garriſon of Farringdon ſhall be rendred unto his Excellency Sir *Thomas Fairfax*, and the Governour, Gentlemen, Souldiers and all other of what quality ſoever within thoſe Garriſons ſhall enjoy the benefit of theſe Articles in every particular that may concerne them, they rendring the ſaid Garriſons accordingly as Oxford.

25 That all perſons compriſed within theſe Articles ſhall have upon requeſt a Certificate under the hand of his Excellency Sir *Thomas Fairfax*, or the future Governour of the City, that ſuch perſons were in the City at the time of the ſurrender thereof, and are to have the benefit of theſe Articles.

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26 That the Generall Sir *Thomas Fairfax* shall give a Passe to one or two Messengers with their servants to goe unto the King, to give him an account of the proceedings upon this Treaty and conclusion thereof, and to returne and receive the benefit of these Articles.

Signed at Water-Eaton June 20. by his Excellencie Sir *Thomas Fairfax*. Signed the same day at Oxford, by

Richard Lane. C. S.
Cottington.
Hertford
Dorset.
Chichester.
Southampton.
Seymor.
Edw. Nicholas.
Thomas Glemham.

FINIS

FINIS.